

विकास योजना - कोल्हापूर

महाराष्ट्र प्रादेशिक व नगर रचना

अधिनियम, १९६६ चे कलम-३७(१जे)(ग)

अन्वये विकास नियंत्रण नियमावलीत फेरबदल
करण्याबाबत.

महाराष्ट्र शासन

नगर विकास विभाग,

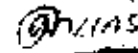
मंत्रालय, मुंबई-४०० ०२२

शासन निर्णय क्रमांक- टिपीएस-२१०८/१९९४/प्र.क्र.१२८१/०८/नवि-१३

दिनांक :- २२.०४.२०१०

शासन निर्णय :- सोबतची शासकीय अधिसूचना महाराष्ट्र शासन राजपत्रा मध्ये प्रसिद्ध
करावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने,



(दि. म. खंडे)

सदर सचिव, महाराष्ट्र शासन.

प्रति,

विभागीय अधिकारी, पुणे विभाग, पुणे.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

जिल्हाधिकारी, कोल्हापूर.

आयुक्त, कोल्हापूर महानगरपालिका, कोल्हापूर.

उपसंचालक नगर रचना, पुणे विभाग, पुणे.-

सहाय्यक संचालक नगर रचना, कोल्हापूर शाखा, कोल्हापूर.

व्यवस्थापक, येरवडा कारागृह मुद्रणालय, पुणे.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या
राजपत्राच्या भाग-१, पुणे विभाग, पुणे पुरवणी भाग-१ मध्ये प्रसिद्ध करून त्याच्या प्रत्येकी १०
प्रती या विभागास, संचालक नगर रचना, महाराष्ट्र राज्य, पुणे, जिल्हाधिकारी, कोल्हापूर,
कोल्हापूर महानगरपालिका, कोल्हापूर, व उपसंचालक नगर रचना, पुणे विभाग, पुणे, सहाय्यक
संचालक नगर रचना, कोल्हापूर शाखा, कोल्हापूर यांना पाठवाव्यात)

कक्ष अधिकारी (नवि-१३), नगर विकास विभाग, मंत्रालय, मुंबई.

त्यांना विनंती करण्यात येते की, सदर अधिसूचना शासनाच्या वेबसाईटवर प्रसिद्ध
करावी.

निवडवस्ती (नवि-१३).

Reper Notification Dt. 23.11.09

The Maharashtra Regional &
Town Planning Act, 1966
Sanction under section 37
(1AA)(c) of Modification to
Development Control
Regulation for Kolhapur
Municipal Corporation.

NOTIFICATION

Government Of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated - 23.04.2010

No.TPS-2108/1914/CR-1381/08/UD-13

Maharashtra
Regional &
Town
Planning
Act 1966

Whereas, the Revised Development Control Regulations for Kolhapur Municipal Corporation (hereinafter referred to as "the said Development Control Regulations") have been sanctioned by Government in Urban Development Department, vide Notification No. TPS-2192/2368/CR-135/02/UD-13, dated 13.11.1999 (hereinafter referred to as "the said Notification") and came into force with effect from 18.11.1999. Under section 3(1)(b) of the The Maharashtra Regional and Town Planning Act/Maharashtra Act No. XXVII of 1966 (hereinafter referred to as "the said Act"):

And whereas, as there are existing industries in Municipal Corporation area which are not in operation at present and various requests to allow the development of land for the Residential purpose have been received by the Government, but there is no provision in the said Development Control Regulations in this regard;

And whereas, Government has carefully examined the issue and found it expedient in the public interest to include the provision regarding the conversion of Industrial Zone into Residential Zone/Commercial zone in the said Development Control Regulations as specified in Schedule appended to the notification dated 12.09.2008 (hereinafter referred to as "the said Modification proposal"). Being the matter of public interest, the Government also found it expedient to take recourse to the provisions contained in the section 37(1AA) of the said Act;

And whereas, the Government in Urban Development Department vide notice No. TPS-2108/1914/CR-1381/08/UD-13, dated 12.09.2008 has published the notice under section 37(1AA) of the said Act to that effect for

inviting suggestions/objections from the general public within a period of one month from the date of publication of the notice in the official gazette. The suggestions/objections for the said modification proposal were to be forwarded to the Deputy Director of Town Planning, Pune Division, Pune being the officer appointed under sub section 1 of section 162 of the said Act;

And whereas, after giving hearing to the persons who have filed suggestions/objections to the said modification proposal the appointed officer i.e. the Deputy Director of Town Planning, Pune Division, Pune has submitted his report to the Government vide his Marathi letter No. वि.नि.नि.कोल्हापूर/के.प./कलम ३५(१अजे)/वि.क्र.म.ए.१(व)/उसंपुवि/१२०६, dated २९.०६.२००६;

And whereas, after making necessary enquires and after consulting the Director of Town Planning, Maharashtra State, Pune the Government of Maharashtra is satisfied that the said modification proposal should be sanctioned with some changes;

Now therefore, in exercise of the powers conferred under sub section (1A)(c) of section 37 of the said Act, and all other powers enabling it in that behalf the Government of Maharashtra hereby sanctions the said modification proposal as per schedule A appended to this notification.

Note

- 1) Aforesaid schedule-A is kept open for inspection by the general public in the office of the Municipal Commissioner, Kolhapur, Municipal Corporation, Kolhapur on all working days during working hours.
- 2) Fixes the date of publication of this notification in the Government Gazette as the date of coming into force of this notification.

This notice is also available on Govt. web site at www.urban.maharashtra.gov.in

By the order & in the name of Governor of Maharashtra

V.M. Ranade
(V.M. Ranade)

Under Secretary to Government.

SCHEDULE-A

(As sanctioned by Government vide Urban Development Departments notification No.TPS-2108/1914/CR-1381/08/UD-13)

New Regulation No.M-6.1(v) is added in Regulation No.M-6.1

New Regulation No.M-6.1(v) : Conversion of Industrial Zone into Residential Zone/Commercial Zone.

Modification No.1 :-

- a) With the previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the industrial zone may be permitted to be utilised for an office or commercial purposes.
- b) With the previous approval of the Commissioner, any open land or lands or industrial lands in the Industrial Zone including lands in Industrial zone in T.P. Scheme area may be permitted to be utilised for any of the permissible users in the Residential zone (R-1 zone) or the Residential zone with shop line (R-2 Zone) or for those in the commercial zone (C1 & C2 Zone) subject to the following:
 - i) The conversion of Industrial Zone to Residential/Commercial Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner is not required.
 - ii) The layout or sub division of such land measuring up to 2.00 ha. shall be approved by the Commissioner, who will ensure that 5% land for public utilities and amenities like electric sub-station, bus-station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein.
 - iii) In such layouts or sub-divisions having area more than 2 ha. But less than 5 ha., 20% land shall be provided for public utilities and amenities like electric sub-section, bus station, sub post office, police out post, garden, playground, school, dispensary and such other amenities shall be provided. Provided that out of this 20% land at least 50% land shall be reserved for unbuildable reservation such as garden, recreation ground etc.
 - iv) In such layout or sub-division each more than 5 ha. in area, 25% of land for public utilities and amenities like electric sub-station, bus station, sub post office, police outpost, garden, playground school, dispensary and such other amenities shall be provided. These areas will be in addition to the recreational space as required to be provided under these regulation. Provided that out of this 25% land at least 50% land shall be reserved for unbuildable reservations

- such as garden recreational ground etc.
- vi) The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purpose.
 - vii) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.
 - viii) Provision for public utilities and amenities shall be considered to be reservation in the Development Plan and transferable development rights as Regulation No.85 FSI of the same shall be available for utilisation on the remaining land.

Note:

- i) Conversion from Industrial zone to residential/commercial zone shall be applicable to the entire land holding and layout shall be approved for the entire land holding and not in part. Mixed user shall not allowed.
- ii) The area provided for public amenities under regulation No.M-6.1iv)(ii), (iii) & (iv) shall be treated as reservation of development plan and TDR/Insitu FSI as eligible under DCR for this area will be allowed.
- iii) Out of the total area proposed to be utilized for residential development 20% of the same shall be built for residential tenements having built up area upto 50 sq.mtrs.

Modification No. 2 :-

New provision is added after regulation no.85(xiii)(b) as 85(xiii)(c).

- (c) However, such FSI on the receiving plots under prescribed regulation shall be allowed to 100% of the gross plot area without deducting the required public amenity space

Modification No. 3 :-

New provision as note 7(a) is added under Note 7 given under Rule no.75(a) Table No.9

Note 7(a) - However the area of FSI computation shall be 90% of the net area (after deducting amenity area) in case of change of Industrial to Residential user as specified in regulation No. M.6.1(v).

V.M. Ranade

(V.M. Ranade)

Under Secretary to Government